

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DALE ROBERTSON,

Plaintiff,

23-cv-4977 (JGK)

- against -

ORDER

JACQUELINE FLUERINORD, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

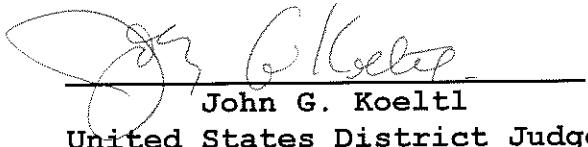
In a letter filed with the Court on September 25, 2023, see ECF No. 14, and copied to the plaintiff, in response to the Court's orders, see ECF Nos. 5, 8, the City identified the "John Doe" defendant as John Theos, Shield No. 9411. In the Court's order, see ECF No. 5, the Court directed the plaintiff that, once informed of the identity of the "John Doe" defendant, he would have 30 days to file an amended complaint in which he named that newly identified defendant.

The plaintiff, though now informed of the identity of that defendant (John Theos, Shield No. 9411), has not filed an amended complaint naming that individual as a defendant. Accordingly, the plaintiff is directed to file an Amended Complaint by **December 4, 2023**, or the claims against Officer John Theos will be dismissed without prejudice for failure to comply with ECF No. 8, pursuant to Federal Rule of Civil Procedure 41. Because the plaintiff's amended complaint will

completely replace, not supplement, his original complaint, any facts or claims that the plaintiff would like to include from his original complaint must be repeated in his amended complaint.

SO ORDERED.

**Dated: New York, New York
November 3, 2023**


John G. Koeltl

United States District Judge